

Patent
Attorney's Docket No. 026350-068

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Hiroshi SANO et al.

Application No.: 09/971,020

Filed: October 5, 2001

For: THEOBROMINE SYNTHASE
POLYPEPTIDE OF COFFEE PLANT
AND THE GENE ENCODING SAID
POLYPEPTIDE

Group Art Unit: 1638

Examiner: Ashwin D. Mehta

Confirmation No.: 3752

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**FIRST INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

No additional fee for submission of an IDS is required.

The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.

A certification under 37 C.F.R. § 1.97(e) is also enclosed.

A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.

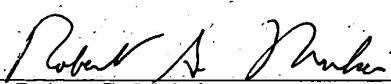
Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.

A check in the amount of \$ _____ is enclosed for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

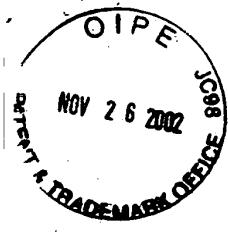
Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
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Date: November 26, 2002



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**FIRST
INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, applicants hereby submit a copy of an European Search Report dated October 18, 2002, as well as a copy of each document contained in the Search Report, which are in conformance with the provisions of 37 C.F.R. §§ 1.97 and 1.98. It will be noted that certain of the documents have a date that is subsequent to the filing date of the Japanese priority document and may not constitute "prior art" against the claims of the present application.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner-initialed copy of this form be returned to the undersigned attorney.

CERTIFICATION UNDER 37 C.F.R. §1.97(e)

I, the undersigned, hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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